

Message

From: Chung, Angela [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B3E49FCBA1AD46F1BDBE92EBB4936350-CHUNG, ANGELA]
Sent: 9/18/2015 4:26:31 PM
To: Beckwith, William [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ed527c85aa1f4cdf9d6ecf9d9dea5f53-Beckwith, Bill]; Collins, Kathleen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9d85953bc0b74bebbbd8f2a53b9da5f9-Collins, Kathleen]; Labiosa, Rochelle [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ded3654216c9461d95cd5a3ceec507ef-Labiosa, Rochelle]; Macchio, Lisa [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e7a9f87246cd422d9bdace2cdf1abbef-Macchio, Lisa]; Szelag, Matthew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f1e48230d96943f8acb72810e32ce8d6-Szelag, Matthew]; Tritt, Maja [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=72098139f84441fa9949d753631d33f3-Tritt, Maja]
Subject: FW: OWW's Weekly for 09/18/2015

FYI -- lots of activity on our litigation.

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From: Dan Opalski [mailto:Opalski.Dan@epamail.epa.gov]
Sent: Thursday, September 17, 2015 5:14 PM
To: R10-ORA
Cc: R10 ECI OWW Editors; Barber, Anthony; Soderlund, Dianne; Werntz, James; Kenknight, Jeff; Edmondson, Lucy; Szerlog, Michael; Steiner-Riley, Cara; Fordham, Tami; Bonifacino, Gina
Subject: OWW's Weekly for 09/18/2015

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Subject: Weekly Report for the week of 09/18/2015 for OWW
To: r10-ora@epa.gov
CC: R10 ECI OWW Editors; Anthony Barber/R10/USEPA/US; Dianne Soderlund/R10/USEPA/US; James Werntz/R10/USEPA/US; Jeff Kenknight/R10/USEPA/US; edmondson.lucy@epa.gov; Michael Szerlog/R10/USEPA/US; Cara Steiner-Riley/R10/USEPA/US; Tami Fordham/R10/USEPA/US; bonifacino.gina@epa.gov

OD & AD TRAVEL/SIGNIFICANT LEAVE:

Dan plans to be in all week.
Christine plans to be out all week.
Bella plans to be in all week.

HOT TOPICS

This Week:

Boise Watershed TMDL: EPA approved an Idaho TMDL covering a number of tributaries to the Boise River that are impaired for bacteria and suspended sediment. A TMDL was previously approved for the mainstem Boise River for these same pollutants. These achievements are in addition to and will complement the Lower Boise total phosphorus TMDL that is currently under EPA review. POC: Bill Stewart, 8-5753

Tribal Marine Net Pen Enhancement Facilities NPDES General Permit: We issued a final general permit for tribal net pen facilities operating within the boundaries of the State of Washington. The general permit will be published in the Federal Register on September 19 and will be effective on November 1, 2015. This is the first issuance of an EPA permit for this sector of tribal facilities in Region 10. POC: Catherine Gockel 3-0325

NWEA Lawsuit Regarding Numerous Washington WQS: Today, EPA requested an agreement with the plaintiffs and intervenors on EPA's schedule for responding to NWEA's amended complaint. EPA has requested additional time to file its answer and submit the administrative record to the court. Region 10 and EPA HQ are reviewing the remaining claims, which include an arbitrary and capricious claim for EPA's approval of Washington's narrative natural conditions provisions for certain pollutants, including temperature and DO. POC: Matt Szelag, 3-5171.

NWEA Petition for EPA to Promulgate Aquatic Life Water Quality Criteria for Washington: On August 31, 2015, NWEA sent Administrator McCarthy a letter reminding EPA that it has yet to respond to a petition that NWEA submitted to EPA on October 28, 2013. The October 2013 petition included a request for EPA to step in and address Washington's failure to update its aquatic life criteria. NWEA is asking EPA to step in similar to how it has done with regards to human health water quality criteria. Region 10 and EPA HQ are considering how to respond to the letter and petition, taking into consideration recent case law on EPA's responses to these types of petitions. POC: Matt Szelag, 3-5171.

New WQS Notice of Intent to Sue: On August 25, 2015, the Wild Fish Conservancy sent EPA a 60-day NOI. The NOI alleges EPA and NMFS violated the Endangered Species Act associated with consultation on Washington's Sediment Management Standards (SMS) pertaining to marine finfish facilities. This NOI does not involve EPA's current review and upcoming action on Washington's 2013 SMS revisions, which were submitted to EPA for CWA review in May 2013. POC: Matt Szelag, 3-5171.

Lower Columbia Estuary Program: This week Yvonne Vallette and Paul VanHaagen participated in the national program review of the Lower Columbia Program, including a number of field visits to representative restoration projects. Review team members included reps from the HQ Office of Wetlands, Oceans and Watersheds/Oceans and Coastal Protection Division and the Director of the San Juan, Puerto Rico Estuary Program. POC: Paula VanHaagen, 3-6977.

Upcoming:

Release of Puget Sound Strategic Initiative Lead RFPs: The RFPs for the competition and selection of the three Strategic Initiative Leads are being finalized with an anticipated release in late September. The awards could be for 5 years, with annual incremental funding upwards for \$5 M per year/per award, most of which would go out in subawards to implement Action Agenda

projects. Strategic Initiative Leads are a critical component of the new Puget Sound funding model. A webinar will be held to provide information to potential applicants. A briefing on the RFPs for the RA is being scheduled. POC: Chris Caster, 3-6517

NWEA Lawsuit Regarding Oregon Aquatic Life Toxics: EPA is hoping to meet with Nina Bell within the next two weeks to discuss potential settlement of claims alleging that EPA has not fulfilled its mandatory duty to promptly propose new or revised copper, cadmium, and aluminium aquatic life criteria for Oregon following EPA's January 2013 disapproval. EPA has offered to promulgate revised criteria for Oregon, should Oregon not adopt final criteria. NWEA has countered with a proposal that EPA also provide interim protections through NPDES permitting until final criteria are in place. POC: Kathleen Collins, 3-2108.

Idaho PPA: Barry Brunell and members of his management team will travel to Seattle next week for PPA discussions. Jim Werntz will be coming over from IOO to participate in the discussions. POC: Cynid Grafe, 8-5771